

Title 3—The President

Presidential Determination No. 2012–4 of January 6, 2012

Presidential Determination on the Eligibility of South Sudan To Receive Defense Articles and Defense Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and defense services to the Republic of South Sudan will strengthen the security of the United States and promote world peace.

You are authorized and directed to transmit this determination to the Congress and to arrange for the publication of this determination in the *Federal Register*.

BARACK OBAMA

THE WHITE HOUSE,
Washington, January 6, 2012.

Memorandum of January 10, 2012

Certification Concerning U.S. Participation in the United Nations Mission in South Sudan Consistent With Section 2005 of the American Servicemembers' Protection Act

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, and consistent with section 2005 of the American Servicemembers' Protection Act of 2002 (Public Law 107–206; 22 U.S.C. 7421 *et seq.*), concerning the participation of members of the Armed Forces of the United States in certain United Nations peacekeeping and peace enforcement operations, I hereby certify that members of the U.S. Armed Forces participating in the United Nations Mission in South Sudan are without risk of criminal prosecution or other assertion of jurisdiction by the International Criminal Court (ICC) because the Republic of South Sudan is not a party to the ICC and has not invoked the jurisdiction of the ICC pursuant to Article 12 of the Rome Statute.

You are authorized and directed to publish this determination in the *Federal Register*.

BARACK OBAMA

THE WHITE HOUSE,
Washington, January 10, 2012.